

unintentionally. Thank you.

SPEAKER BARRETT: Senators Hall, Chizek and Warner. Senator Hall. Senator Hall waives. Senator Chizek.

SENATOR CHIZEK: Mr. Speaker, colleagues, I, obviously, rise in support of the amendment. I...as some of the speakers had previously said, we went through a period of negotiations in trying to reach some kind of an agreement. Frankly, you heard a number of comments today about the potential constitutionality question that may exist with the cap. This is my...the beginning of my fifth year in this body. And, Mr. Speaker, if I had a dollar for every time I heard "if it's not broke don't fix it", I would probably be wealthy. All we have at this point in time is speculation that there is a constitutional question. I think those of us who are co-sponsors on this particular piece of negotiated legislation, that we arrived at agreement at, obviously, there are things Senator Moore, Senator Lamb, myself would rather have a little different. However, this is what we arrived at, this is what we agreed to. This was the consensus. I don't think any of us are saying that, if it comes down from the Attorney General that there is a constitutional question, we're willing to deal with it. We have been willing to deal with it. But up to this point in time, colleagues, we have nothing in our hands. I've talked to as many attorneys who tell me that there aren't a constitutional question, as those that tell me there are. Now just simply because the attorneys that I happen to be working with, or a particular individual happens to be working with aspire this point of view, that doesn't make it right anymore than ours. What we're saying is let's adopt the amendment, let's advance the bill. If there then is a problem in an opinion or ruling that comes down from the Attorney General, then we are prepared to deal with it. But until such time as that happens, Mr. Speaker, if it isn't broke let's don't fix it.

SPEAKER BARRETT: Thank you. Senator Warner, followed by Senators Labeledz, Hefner and Haberman.

SENATOR WARNER: Mr. President, members of the Legislature, I'd rise to oppose the amendment to sunset in one year, for at least two reasons. The most frequent argument I've heard against LB 809, it seems to me, is that there is no stability to it, only lasts for one year then we turn around and say LB 84, we're going to amend it for one year because it has stability, or I